

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
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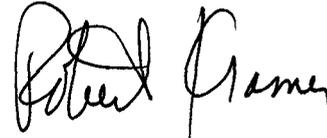
April 5, 2001

SUBJECT: Technical Support Document - Adequacy Findings for Mobile Vehicle Emissions Budgets; Delaware; Rate of Progress Plan for the Delaware Portion of the Philadelphia-Wilmington-Trenton Nonattainment Area (Kent & New Castle Counties)


FROM: Martin Kotsch, P.E.
Environmental Engineer (3AP23)

TO: Administrative Record for the Adequacy Findings for the Budgets in the Rate of Progress Plan for the State of Delaware for the Delaware Portion of the Philadelphia-Wilmington-Trenton Nonattainment Area (Kent & New Castle Counties)

THRU: Robert Kramer, Chief
Energy, Radiation and Indoor Environment Branch
(3AP23)



I. Administrative Requirements For Making Adequacy Findings

The adequacy of the 2002 and 2005 budgets contained in the Rate of Progress (ROP) Plan submitted by the State of Delaware for the its portion of the Philadelphia-Wilmington-Trenton Nonattainment Area (Kent & New Castle Counties) were reviewed in accordance with the procedures and criteria of the Transportation Conformity Rule contained in 40 CFR Part 93, Sections 118 (e) (4) through (e) (5) and the guidance contained in the both the November 3, 1999 EPA Memorandum from Merrylin Zaw-Mon entitled: "Guidance on Motor Vehicle Emissions Budgets in One-Hour Ozone Attainment Areas," and the May 14, 1999 EPA Guidance Memorandum from Gay MacGregor entitled, "Conformity Guidance on the Implementation of the March 2, 1999 Conformity Court Decision."

On December 22, 2000, the State of Delaware submitted its ROP plan for the years 2002 and 2005 for Kent and New Castle Counties to the Environmental Protection Agency (EPA) as a State Implementation Plan (SIP) revision. The State's 30-day public comment period on its ROP plan closed on December 15, 2000.

On January 17, 2001, a notice was posted on EPA's web site at <http://www.epa.gov/oms/traq>, for the purpose of opening EPA's 30-day public comment period on the adequacy of the budgets in the ROP plan. That notice also informed the public that the State of Delaware had posted its ROP plan on its website. EPA's January 17, 2001 website notice also provided a link to the address for the State of Delaware Department of Natural Resources (DNREC) website where interested members of the public could access the ROP plan. EPA's public comment period closed on February 16, 2001. No public comments were submitted.

We will publish a Federal Register notice announcing our adequacy findings. The effective date of the adequacy findings will be 15 days after the publication date of that Federal Register notice. The letter sent to DNREC informing the State of our findings and this Technical Support Document (TSD) will be posted on EPA's website at <http://www.epa.gov/oms/traq> once EPA has published the Federal Register notice announcement of our findings.

II. Evaluation of the Budgets

Table 1 - The Budgets

<u>Clean Air Act Requirement</u>	<u>Milestone Year</u>	<u>Mobile Vehicle Emissions Budget for NOx in Tons Per Day</u>	<u>Mobile Vehicle Emissions Budget for VOC in Tons Per Day</u>
<u>Rate of Progress Kent County</u>	<u>2002</u>	<u>9.81</u>	<u>6.30</u>
<u>Rate of Progress New Castle County</u>	<u>2002</u>	<u>27.29</u>	<u>18.44</u>
<u>Rate of Progress Kent County</u>	<u>2005</u>	<u>7.90</u>	<u>4.84</u>
<u>Rate of Progress New Castle County</u>	<u>2005</u>	<u>22.92</u>	<u>14.76</u>

Table 2

Adequacy of the Budgets in the Rate of 2002 and 2005 Progress Plan for the Delaware Portion of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Kent & New Castle Counties' Budgets)		
Transportation Conformity Rule 40 CFR Part 93, § 93.118	Review Criteria	Was the Criterion Satisfied? If "Yes" How was this Criteria Satisfied?
Sec. 93.118(e)(4)(i)	Was the submitted control strategy implementation plan endorsed by the Governor (or his or her designee) and subject to a State public hearing?	Yes. The SIP was endorsed and submitted by the Secretary of DNREC, the Governor's designee formally delegated the authority to submit SIP revisions to EPA. A public hearing was held.
Sec. 93.118(e)(4)(ii)	Before the control strategy implementation plan was submitted to EPA, did consultation between federal, State and local agencies occur; was full implementation plan documentation provided to EPA, and was EPA's stated concerns, if any, addressed?	Yes. Consultation has occurred among all required federal, state and local agencies.
Sec. 93.118(e)(4)(iii)	Were the motor vehicle emissions budgets clearly identified and precisely quantified?	Yes. The 2005 budgets are found in Tables 2-1 and 2-2, and the 2002 budgets are found in Table 3.8 of the ROP plan submittal.

Sec. 93.118(e)(4)(iv)	Is the motor vehicle emissions budget(s), when considered together with all other emission reductions, consistent with applicable requirements for the control strategy implementation plan?	Yes. The budgets are consistent with the ROP plan's requirements. The SIP submittal demonstrates that the control measures and strategy adopted and imposed by Delaware in Kent & New Castle Counties achieve the reductions necessary to meet the ROP requirements. The control measures include the FMVCP and RVP, Tier I Vehicle Emission Standards, Enhanced I/M, RFG, HDDE, the NLEV Program and the Tier 2/Sulfur-in Fuel Rule.
Sec. 93.118(e)(4)(v)	Is the motor vehicle emissions budget(s) consistent with and clearly related to the emissions inventory and the control measures in the submitted control strategy implementation plan?	Yes.
Sec. 93.118(e)(4)(vi)	Revisions to previously submitted control strategy implementation plan: explain and document any changes to previously submitted budgets and control measures; impacts on point and area source emissions; any changes to established safety margins (see Sec. 93.101 for definition); and reasons for the changes (including the basis for any changes related to emission factors or estimates of vehicle miles traveled).	Yes. The plan explains that the non-mobile related changes in the revised 2002 ROP plan are due to a reduction of .403 tpd credits in the VOC emissions from the Motiva wastewater treatment plant. The NOx substitution for VOCs was reduced accordingly. These reductions were accounted for in changes in the ROP contingency plan. No changes to the previous 2002 mobile source budgets occurred as a result of these revisions.

Sec. 93.118(e)(5)	Did they provide and we review public comments and the State's responses to those comments with the submitted control strategy SIP?	Yes, two parties provided comments to DNREC. EPA has reviewed the comments and DNREC's responses and determined that DNREC adequately addressed the comments.
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III. Recommendation - Based upon our review and evaluation of the budgets contained in the Rate of Progress Plans for 2002 and 2005 submitted on December 22, 2000 by the State of Delaware for Kent and New Castle Counties, we recommend that the motor vehicle budgets be found adequate.

IV. The Applicable Motor Vehicle Emissions Budgets for Purposes of Demonstrating Conformity in Kent & New Castle Counties - On May 31, 2000, we found the budgets in Delaware's attainment demonstration SIP for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area for Kent and New Castle Counties adequate (see 65 FR 67315, June 8, 2000). Those budgets are identical to the budgets contained in Rate of Progress Plan for 2005 submitted on December 22, 2000.

Therefore, the applicable motor vehicle emissions budgets for purposes of demonstrating conformity are 7.90 tons/day of NOx and 4.84 tons/day VOC for Kent County and 22.92 tons/day of NOx and 14.76 tons/day VOC for New Castle County.